

Notice of Allowability	Application No.	Applicant(s)	
	10/659,962	LAFOND ET AL.	
	Examiner	Art Unit	
	Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. This communication is responsive to the amendment filed January 22, 2007.
2. The allowed claim(s) is/are 1-4,6-10,12,14-20,22-25 and 28-44.
3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All
 - b) Some*
 - c) None
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. A SUBSTITUTE OATH OR DECLARATION must be submitted: Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) hereto or 2) to Paper No./Mail Date _____.
 - (b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. Notice of References Cited (PTO-892)
2. Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. Notice of Informal Patent Application
6. Interview Summary (PTO-413),
Paper No./Mail Date _____
7. Examiner's Amendment/Comment
8. Examiner's Statement of Reasons for Allowance
9. Other _____.

Response to Amendment

The following is in response to the amendment filed on January 22, 2007.

Allowable Subject Matter

Claims 1-4, 6-10, 12, 14-20, 22-25, and 28-44 are allowed.

The following is an examiner's statement of reasons for allowance:

In a papermaker's fabric comprising top and bottom layers of weft yarns interwoven with a system of warp yarns:

Claims 1-4, 6-10, 12, 14, 17-20 and 22-25 are allowed, because the prior art does not disclose or suggest providing a top layer with at least two different diameter, size, or shape weft yarns to produce plane differences in the forming surface of the top layer and also providing longer weft yarn floats than warp yarn floats on the forming surface, thereby defining pocket areas in the forming surface.

Claims 28-38 are allowed, because the prior art does not disclose or suggest providing at least three different diameter, size, or shape weft yarns interwoven with warp yarns and binder yarns to define at least macro-pockets and micro-pockets in the forming surface.

Claims 39-41, 15, 16, and 42-44 are allowed as indicated previously, because the prior art does not disclose or suggest providing a top layer with at least two different diameter, size, or shape weft yarns to produce plane differences in the forming surface of the top layer and also providing long weft floats on the forming surface, thereby defining pocket areas in the forming surface, and further providing any of the additional claimed features pertaining to the yarn types or arrangements of yarns.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Response to Arguments

Applicant's arguments filed January 22, 2007 have been fully considered. Reference is made to the interview with Ronald Santucci and Anthony Mustillo on December 14, 2006. An interview summary is provided herewith for Applicant's convenience. In view of the arguments, the amended claims have overcome the rejection of claims 1-27 under 35 U.S.C. 112, second paragraph, set forth previously, and the rejection of claims 1-4, 6-10, 12, 14, 17-20, and 22-25 under 35 U.S.C. 103(a) over Gulya et al (US 5,839,479) in view of Karm (US 4,171,009), also set forth previously. It is also recognized that the claimed feature of the CD weft yarns forming longer floats than the MD warp yarns on the forming surface of the fabric is clearly not taught or suggested in the applied references, either alone or in combination. It is also understood that the claimed feature of top layer weft yarns forming "long floats" pertains to floats of length beyond that of an ordinary "float" defined in the art as being a top layer weft yarn which passes over two warp yarns. The specification provides ample support for this claimed feature.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Eric Hug